

THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

The opinion in support of the decision being entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.

Paper No. 34

Filed by: Trial Section Merits Panel
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

LESLIE D. ANDERSON, JANETH M. BARTLETT,
DIANE M. SZLAFARSKI and KENNETH J. WIDDER,

Junior Party
(Patent No. 5,385,147)¹

v.

EVAN C. UNGER and GUANLI WU

Senior Party
(Application 08/574,371)²

Patent Interference No. 104,238

Before McKELVEY, Senior Administrative Patent Judge, LEE and
SCHAFER, Administrative Patent Judges.

¹ Filed September 22, 1993, now Patent No. 5,385,147, issued January 31, 1995. Assigned to Molecular Biosystems, Inc.

² Filed December 18, 1995. Accorded the benefit of application 08/391,936, filed February 21, 1995, now Patent No. 5,639,442, issued June 17, 1997, application 08/058,098, filed May 5, 1993, now Patent No. 5,420,176, issued May 30, 1995, application 07/708,731, filed May 31, 1991, and application 07/532,213, filed June 1, 1990. Assigned to Imarx Pharmaceutical Corp.

Interference No. 104,238
Anderson v. Unger

LEE, Administrative Patent Judge.

Judgment

In light of our granting of party Anderson's motion asserting no interference-in-fact in a decision mailed separately today (Paper No. 33), it is time appropriate for entry of judgment in this case. Accordingly, it is

ORDERED that judgment is herein awarded in favor of both junior party Anderson and senior party Unger;

FURTHER ORDERED that on this record, EVAN C. UNGER and GUANLI WU are entitled to their application claims 48-50 and 75-84, which correspond to the count;

FURTHER ORDERED that on this record, LESLIE D. ANDERSON, JANETH M. BARTLETT, DIANE M. SZLAFARSKI and KENNETH J. WIDDER are entitled to their patent claims 1-19 which correspond to the count.

Fred E. McKelvey, Senior)
Administrative Patent Judge)

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Richard Schafer)
Administrative Patent Judge)

BOARD OF PATENT
APPEALS
AND
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Interference No. 104,238
Anderson v. Unger

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Jameson Lee)
Administrative Patent Judge)

By Federal Express

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